IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CEDRIC OMAR SNEAD,	)	
	)	
Plaintiff,	)	Civil Action No. 7:21cv00269
	)	
v.	)	**MEMORANDUM OPINION**
	)	
COVINGTON CITY	)	By: Hon. Thomas T. Cullen
	)	United States District Judge
Defendant.	)	

Plaintiff Cedric Snead seeks leave to proceed in forma pauperis against defendant Covington City. Under 28 U.S.C. § 1915(e)(2)(B)(ii), this court may dismiss an in forma pauperis action at any time if the complaint fails to state a claim. To survive such review, a complaint "must contain sufficient factual matter, accepted as true, to 'state a claim for relief that is plausible on its face.'" *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 547 (2007)). A claim is facially plausible when the plaintiff's allegations "allow[] the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Id.* While a complaint does not need "detailed factual allegations," complaints merely offering "labels and conclusions," "naked assertion[s] devoid of 'further factual enhancement,'" or "a formulaic recitation of the elements of a cause of action will not do." *Id.* (alteration in original) (internal quotation marks omitted) (quoting *Twombly*, 550 U.S. at 555, 557.)

Because Snead's complaint makes no allegations against the named defendant, his complaint will be dismissed under Section 1915(e)(2)(B)(ii). Snead's complaint names

Covington City as the only defendant in his suit. His complaint, however, alleges that he was assaulted by a police officer while jailed at "Alleghany City Jail." He does not allege that the police officer was a Covington City officer, or that the City was in any way involved in his alleged injuries. Without any allegations against the only named defendant, Snead's complaint cannot survive Section 1915(e)(2)(B)(ii) review and will be dismissed.

ENTERED this 10th day of June, 2021.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE